

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN THE MATTER OF

SUSAN ANN MASON,

DEBTOR

IN PROCEEDINGS
UNDER CHAPTER 13

CASE NO. 17-21501
JUDGE: Cassling

NOTICE OF MOTION

Notified via Electronic Filing

U.S. Trustee, 219 S Dearborn St, Room 873, Chicago, IL 60604

Tom Vaughn, 55 E. Monroe Street, Suite 3850, Chicago, IL 60603

Cecil D Scruggs, Geraci Law L.L.C, 55 E. Monroe St. Suite #3400, Chicago, IL 60603

Notified via US Postal Service

Susan Ann Mason, 15712 Orlan Brook Drive, Apt#151, Orland Park, IL 60462

On May 24th, 2018, at 9:30 a.m. or as soon thereafter as I may be heard, I shall appear before the Honorable Judge Donald R Cassling, Courtroom 619 at the United States Bankruptcy Court, 219 S Dearborn, Chicago, IL 60604 or before any other judge who may be presiding in his stead and shall present the accompanying motion. At that time and place you may attend if you so choose.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he/she caused a true and correct copy of the above and foregoing document to be sent to the Debtor at the address listed below. Said copy was placed in an envelope addressed as listed below and placed in the U.S. Mail on May 14, 2018, with first class postage prepaid. All other parties entitled to notice received such notice electronically, through the office of the Clerk of the Court.

Respectfully Submitted,

/s/ Richard B. Aronow
Richard B. Aronow

Mike Kalkowski ARDC #6185654
Richard B. Aronow ARDC# 03123969
Michael N. Burke ARDC#6291435
Shapiro Kreisman & Associates, LLC
2121 Waukegan Road, Suite 301
Bannockburn, IL 60015
(847) 291-1717
17-083820

The firm of Shapiro Kreisman & Associates, LLC is a debt collector. This is an attempt to collect a debt. Any information may be used for that purpose. If your personal liability for this debt has been extinguished, discharged in bankruptcy or if a court order prohibits collecting this debt from you personally, then this is an attempt to enforce the Movant's rights with respect to the property addressed herein, and it is not an attempt to collect the debt from you personally.

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MOTION FOR RELIEF FROM THE AUTOMATIC STAY OR IN THE ALTERNATIVE
DISMISSAL OF THE CASE

NOW COMES Nationstar Mortgage LLC, by and through its attorneys, Shapiro Kreisman & Associates, LLC, and states as follows:

1. The Debtor filed a Chapter 13 Petition on July 19, 2017. She filed an amended plan on August 10, 2017, which was confirmed on September 28, 2017.
2. The Movant is a creditor of the Debtor's by virtue of a note, secured by a mortgage on her residence, commonly known as: 15712 Orlan Brook Drive, #151, Orland Park, IL. 60462.
3. A material term of the confirmed plan called for the Debtor to make monthly post-petition mortgage payments directly to the Movant commencing with the installment that came due on August 1, 2017.
4. Notwithstanding that material term, post-petition mortgage payments are in default in the amount of \$3,491.60 through May 2018:

| | | |
|--------------------------------------|------|----------|
| 4/1/2018 - 5/1/2018 monthly payments | = \$ | 2,460.60 |
| at \$1,230.30 each | | |
| Bankruptcy MFR court cost | = \$ | 181.00 |
| Bankruptcy Attorneys' fees | = \$ | 850.00 |
| TOTAL | = \$ | 3,491.60 |

5. The failure to make post-petition mortgage payments as they came due constitutes a default in a material term of the plan, entitling the Movant to relief from the stay, pursuant to 11 USC 362(d).
6. By failing to make current mortgage payments, the Debtor has failed to provide the Movant with adequate protection for its security, contrary to the requirements of the Bankruptcy Code.
7. Attached are redacted copies of any documents that support the claim, such as promissory notes, purchase order, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements in support of right to seek a lift of the automatic stay and foreclose if necessary.
8. The Movant adopts the facts set forth in the Statement of Default as additional allegations in support of this motion.
9. For the reasons set forth above, it would be inequitable to delay the enforcement of any order modifying the automatic stay with respect to the Movant.

WHEREFORE, Nationstar Mortgage LLC, moves this Honorable Court to modify the automatic stay to allow Nationstar Mortgage LLC to foreclose the mortgage or, in its sole discretion, to accept a short sale or deed in lieu of foreclosure on the property located at: 15712 Orlan Brook Drive, #151, Orland Park, IL 60462; that the unpaid portion of any proof of claim or stipulation calling for payment of the debt secured by that mortgage be withdrawn for purposes of these proceedings only and that Federal Bankruptcy Rule 4001(a)(3) be waived or dismiss the case.

Respectfully submitted,

/s/ Richard B. Aronow
Attorney for Nationstar Mortgage LLC

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